SINGLE BENCH

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 437 / **/ 2005**

PETITIONERS: PLAINTIFS

1. Awadhram S/o Rewaram Sahu
2. Santosh S/o Rewaram Sahu
3. Bodhan S/o Rewaram Sahu
4. Leelaram S/o RewaramSahu

All Resident of Village Bhilai
Patwari Circle No. 147, R.I. Circle
Arang Tehsil & District Raipur (C.G.)

VERSUS

RESPONDENTS: DEFENDANTS :

1. State of Chhattisgarh,
   Through Collector,
   District Raipur, C.G..

2. Naib Tehsildar,
   Arang, Tehsil Arang,
   District Raipur.C.G..

3. Gram Panchayat Bhilai,
   Through its Sarpanch
   Tehsil Arang District Raipur, C.G.

P.R. No. 451205
Presented by Shri ... Adv.
dated 31/05/05

WRIT PETITION UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA

XI-HC-78

(५१)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. NO. 4371/2005 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	14/09/2005 Shri Satyendra Sahu, Counsel for the petitioners. Shri Yashwant Singh Thakur, Govt. Advocate for the State. Heard. Petitioners have filed this writ petition under Article 227 of the Constitution of India, questioning the legality, propriety and correctness of the order dated 01/04/1998 passed by 6th Additional District Judge, Raipur, whereby the learned Additional District Judge affirmed the order dated 06/12/1995 passed by 5th Civil Judge, Class 2, Raipur, in Civil Suit No.82-A/94 on an application filed under Order 39, Rule 1 and 2 of the C.P.C., whereby the learned Civil Judge rejected the application of the petitioners. Petitioners filed a civil suit before the Civil Judge for declaration of title and permanent injunction against the respondents. Both the trial Court and appellate Court reached to the conclusion that the petitioners have no, prima facie, case. Having perused the orders of trial Court and appellate Court, I am of the opinion that there is no ground for this Court to interfere with both the orders, as such the petition deserves to be dismissed and the same is accordingly dismissed. However, the trial Court is directed to expedite the trial of the Civil Suit and decide the same as early as possible, preferably within a period of six months from the date of receipt of the copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	
raju		